

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CASE NO. 3:18CV576-RJC-DSC

United States of America,

Plaintiff,

v.

The real property at 6698 Dam Cove Road,
Conover, North Carolina, more particularly
described in a Warranty Deed to Lake Hickory
Holdings, LLC filed in Catawba County on
July 7, 2015 at Deed Book 03297 Pages 1458-
1459; and

The real property at 8102 Evanston Falls Road,
Huntersville, North Carolina, more particularly
described in a Warranty Deed to 8102
Evanston Falls Road, LLC filed in
Mecklenburg County on April 1, 2016 at Deed
Book 30708 Pages 157-158,

Defendants.

ORDER FOR FORFEITURE OF SUBSTITUTE *RES*

THIS MATTER is before the Court on the United States of America's Motion pursuant to the Consent Order for Third Party Claims (Doc. 24) requesting that this Court issue an order forfeiting \$357,602.47 in funds as a substitute *res* for the real property at 6698 Dam Cove Road, Conover, North Carolina (identified in this case as "the Lake Hickory Property"). For good cause shown, this Court hereby GRANTS the Motion.

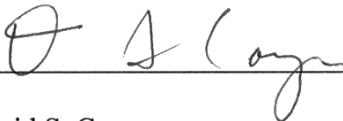
This Court FINDS AS FOLLOWS: The United States represents that Claimant Shettle secured payment of the \$357,602.47 to the United States as the result of a sale of the Lake Hickory Property. Further, based on review of the docket and the Consent Order, the parties to this action have consented to forfeiture of substitute *res*. Therefore, forfeiture of the funds as a substitute *res* for the Lake Hickory Property is appropriate.

IT IS THEREFORE ORDERED, as follows:

- The \$357,602.47 tendered to the United States shall be subject to forfeiture as an *in rem* Defendant in this action and a substitute *res* for the Lake Hickory Property;
- The United States Marshals Service is hereby commanded to arrest and take possession of the Defendant Substitute *Res* and to use whatever means may be appropriate to protect and maintain custody of the Substitute *Res* pending further order of this Court.

SO ORDERED.

Signed: July 1, 2019

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

